IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Revision No.3879 of 2006
Date of Decision: 22.09.2006

Ram Chander & Ors. ...Petitioners

Vs.

Dilbag alias Dillu & Anr. ...Respondents

CORAM Hon'ble Mr.Justice Vinod K.Sharma

Present: Mr.Sandeep Kotla, Advocate,
for the petitioner.

Vinod K.Sharma, J. (Oral)

Present revision petition has been filed against the order passed by the learned Additional District Judge, vide which application moved by the petitioner under Order 39 Rules 1 and 2 of the Code of Civil Procedure has been dismissed and order of the Trial Court set aside.

Learned lower Appellate Court came to the conclusion that the petitioners were not in exclusive possession of the suit land and rather were claiming to be cultivating the land on behalf of Dharam Singh. Learned lower Appellate Court came to the conclusion that as a co-sharer Dharam Singh has right to cultivate the land through his servants respondents herein and there is nothing wrong with the same. On 24.7.2006 learned counsel for the petitioners had sought time to place on record copy of jamabandi to show the exclusive possession of the petitioners over the land in dispute to the exclusion of Dharam Singh. In pursuance to the said order the

petitioners have placed on record Jamabandi for the year 2002-03 which shows the possession of the petitioners along with Dharam Singh as co-sharers.

In view of this, there is no error in exercise of jurisdiction by the courts below which may call for interference by this Court in revisional jurisdiction.

Dismissed.

(Vinod K.Sharma)
Judge

22.09.2006
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